

Appl. No. 09/980,95959
Amdt. dated March 1, 2004
Reply to Office action of August 29, 2003

REMARKS

Reconsideration is respectfully requested. Claims 1-12 were present in the application. Claims 1, 4, 5 and 7 are amended herein. Claims 6, 8, 11 and 12 are canceled. New claims 13-17 are added. A notice of appeal is submitted concurrently herewith, to keep the application in pending status while the Examiner considers the response.

Claim 11 is objected to, but since this claim is canceled, the rejection no longer applies.

Claims 1-10 are rejected under 35 U.S.C. §112, second paragraph as allegedly indefinite. The Examiner requests clarification of certain language in the claims. Applicants believe the claims were definite as presented, but have made amendments herein with attention to the Examiner's concerns. With regard to claim 3, it is respectfully believed that the claim is definite and reconsideration of this point is respectfully requested.

Claims 3, 4 and 6-8 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Andoh et al. Applicants respectfully traverse.

The Andoh et al document shows at Fig. 16(a), a variable inductor with first and second spiral layers, the outermost ends of the upper and lower spirals being connected. A circuit element 70, which may be an attenuator or an amplifier, controls

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the current flowing through the lower spiral to vary the impedance of the upper spiral. This differs from the applicant's invention in its use of the circuit 70

Applicant's claims as amended herein include the recitation of inner and outer ends and that the outer end of the lower layer connect to the inner end of the upper layer, or that both outer ends are connected together.

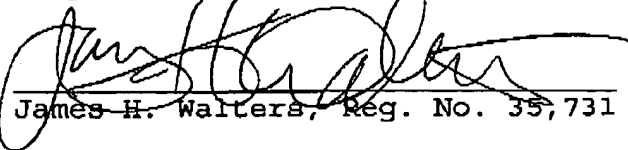
New claims are added to further define the invention. For example, new claim 15 recites the connection as being via a passive element. This is distinguished from the circuit 70 of Andoh et al. Claims 16 and 17 further define that description to "a conductor" and "a wire".

Claim 1 is amended to further add that one of the two conductors that is nearest the substrate has an end that is open. This is respectfully submitted to neither be shown nor suggested by the art.

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In light of the above noted amendments and remarks, this application is believed in condition for allowance and notice thereof is respectfully solicited. The Examiner is asked to contact applicant's attorney at 503-224-0115 if there are any questions.

Respectfully submitted,



James H. Walters, Reg. No. 35,731

Customer number 802
DELLETT AND WALTERS
Suite 1101
310 S.W. Fourth Avenue
Portland, Oregon 97204 US
(503) 224-0115
DOCKET: A-411

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